



PATENT/OFFICIAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Nadine MOTHEs et al.  
Title: Process for the Preparation of Hypoallergenic Mosaic Antigens  
Appl. No.: 11/542,735  
National Phase Filing Date: July 20, 2005  
Examiner: Not Assigned  
Art Unit: Not Assigned  
Atty Docket No: LNK-002

MAIL STOP SEQUENCE  
Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION TO COMPLY**  
**WITH SEQUENCE DISCLOSURE REQUIREMENTS**

Sir:

This communication is in response to the Notice to Comply with Sequence Requirements concerning the above-referenced patent application mailed March 9, 2006, a copy of which is submitted herewith. In accordance with 37 CFR 1.821-1.825, Applicants submit herewith substitute paper and computer readable copies of the "Sequence Listing" listing the nucleotide sequences of SEQ ID NOs: 1 - 12. Applicants further include herewith Check No. 1502 in the amount of \$65 to cover the noted surcharge for late submission.

In response to the Raw Sequence Listing Error Report, Applicants have updated the sequence listing to include the correct application number and filing date and further revised the

**Serial No.: 10/542,735**

**Atty Docket No.: LNK-002**

listing to properly identify the sequences as “artificial sequences”, including a description of “other information” in line <223>. Applicants direct the USPTO to enter this substitute “Sequence Listing” into the above-referenced application, at the end of the description section just prior to the claims.

Applicants respectfully submit that the information recorded in the computer readable form is identical to the paper copy of the sequence listing filed herewith. Accordingly, no new matter is added by this Sequence Listing.

The Notice set forth a two-month period for response. Accordingly, response is due on or before **May 9, 2006**. Thus, Applicants submit that this response is timely and no additional fee is required. However, in the event that additional fees are required, the Commissioner is authorized to charge such fees to our Deposit Account No. 50-2101.

Respectfully submitted,

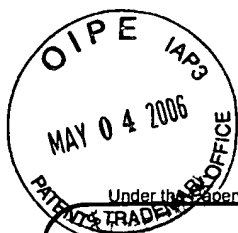
Date: 05/04/06

Smith Patent Consulting, LLC  
P.O. Box 2726  
Alexandria, VA 22301  
Telephone: (703) 549-7691  
Facsimile: (703) 549-7692

By 

Chalin A. Smith  
Attorney for Applicant  
Registration No. 41,569

**CUSTOMER NUMBER 31,496**



04 MAY 2006 \$ PCT  
CD-ROM

PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

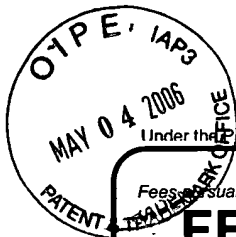
|   |                      |                        |         |
|---|----------------------|------------------------|---------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/542,735 ✓           |         |
|   | Filing Date          | July 20, 2005          |         |
|   | First Named Inventor | Nadine MOTHES et al.   |         |
|   | Art Unit             | Not Assigned           |         |
|   | Examiner Name        | Not Assigned           |         |
| Total Number of Pages in This Submission  | 10                   | Attorney Docket Number | LNK-002 |

| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                  | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input checked="" type="checkbox"/> Fee Attached                          | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation   | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Terminal Disclaimer   | Response to Notification to Comply with Sequence Disclosure Requirement;                |
| <input type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> Request for Refund  | Copy of Notification;   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u>   | Substitute Sequence Listing;  |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application    | <input type="checkbox"/> Landscape Table on CD   | Check No. 1502 for \$65.00  |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <b>Remarks</b><br>Enclosed herewith is a timely response to the notification to comply with sequence disclosure requirements mailed March 9, 2006, response for which includes a paper and electronic copies of a substitute sequence listing. |   |
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>                         |  |   |
| Firm Name   | Smith Patent Consulting  |   |
| Signature   |  |   |
| Printed name  | Chalin Smith   |   |
| Date  | May 4, 2006  | Reg. No. 41,569   |

| CERTIFICATE OF TRANSMISSION/MAILING   |  |      |
|---|--|------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |  |      |
| Signature   |  |      |
| Typed or printed name   |  | Date |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$65.00

### Complete if Known

Application Number 10/542,735  
Filing Date July 20, 2005  
First Named Inventor Nadine MOTHES et al.  
Examiner Name Not Assigned  
Art Unit Not Assigned  
Attorney Docket No. LNK-002

### METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 50-2101 Deposit Account Name: Smith Patent Consulting
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

#### 2. EXCESS CLAIM FEES

| Fee Description  | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)                                | 50       | 25                    |
| Each independent claim over 3 (including Reissues)                     | 200      | 100                   |
| Multiple dependent claims  | 360      | 180                   |
| <b>Total Claims</b>  |          |                       |
| - 20 or HP = _____ x _____ = _____                                     |          |                       |
| HP = highest number of total claims paid for, if greater than 20.      |          |                       |
| <b>Indep. Claims</b>   |          |                       |
| - 3 or HP = _____ x _____ = _____                                      |          |                       |
| HP = highest number of independent claims paid for, if greater than 3. |          |                       |

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets \_\_\_\_\_ Extra Sheets \_\_\_\_\_ Number of each additional 50 or fraction thereof \_\_\_\_\_ Fee (\$)  
\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_ Fee Paid (\$)

#### 4. OTHER FEE(S)

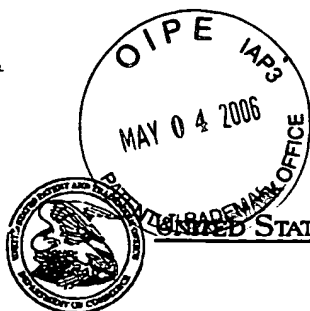
Non-English Specification, \$130 fee (no small entity discount) \_\_\_\_\_ Fees Paid (\$)  
Other (e.g., late filing surcharge): late filing surcharge \_\_\_\_\_ \$65

#### SUBMITTED BY

Signature Registration No. 41,569 Telephone 703-549-7691  
Name (Print/Type) CHALIN A. SMITH Date 05/09/06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

|   |  |                             |
|---|--|-----------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/542,735 | FIRST NAMED APPLICANT<br>Nadine Mothes | ATTY. DOCKET NO.<br>LNK-002 |
|---|--|-----------------------------|

31496  
SMITH PATENT CONSULTING CONSULTING, LLC  
P.O. BOX 2726  
ALEXANDRIA, VA 22301

|   |                             |
|---|-----------------------------|
| INTERNATIONAL APPLICATION NO.<br>PCT/EP03/14507 |                             |
| I.A. FILING DATE<br>12/18/2003                  | PRIORITY DATE<br>01/21/2003 |

CONFIRMATION NO. 5394  
371 FORMALITIES LETTER



Date Mailed: 03/09/2006

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 2 - OFFICE COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/542,735                  | PCT/EP03/14507                | LNK-002          |